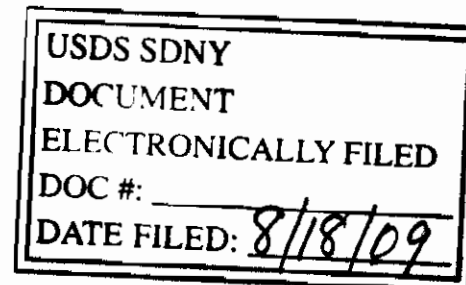


In Re: Methyl Tertiary Butyl Ether : Master File C.A. No.
("MTBE") Products Liability : 00 Civ. 1898 (SAS)
Litigation : MDL 1358

This document pertains to: :
City of New York v. Amerada Hess, :
et al., :
No. 04 Civ. 3417 :
----- :

JAMES C. FRANCIS IV
UNITED STATES MAGISTRATE JUDGE



The Court having reviewed the objections to designated portions of the deposition of Duane Bordvick dated November 5, 2001, the objections are determined as follows, except insofar as any relevance objections not explicitly ruled on are reserved for trial:

<u>Tab</u>	<u>Pages/Lines</u>	<u>Ruling</u>
1	2923:09-2923:17	Sustained; irrelevant.
2	2924:13-2925:05	Overruled; the witness' background is relevant to the jury's evaluation of his testimony.
3	2928:06-2929:21	Overruled; the witness is testifying to his own knowledge; relevance objection reserved.
4	2938:25-2939:14	Overruled; the witness is qualified to provide this testimony.
5	2968:01-2969:01	Sustained; improper lay opinion.
6	2978:14-2978:17	Reserved for trial.

SO ORDERED.


JAMES C. FRANCIS IV
UNITED STATES MAGISTRATE JUDGE

Dated: New York, New York
August 18, 2009

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